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JS-6

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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
10 **Western Division**

11 BOARD OF DIRECTORS OF THE
12 MOTION PICTURE INDUSTRY
PENSION PLAN; BOARD OF
13 DIRECTORS OF THE MOTION
PICTURE INDUSTRY INDIVIDUAL
14 ACCOUNT PLAN; BOARD OF
DIRECTORS OF THE MOTION
15 PICTURE INDUSTRY HEALTH
PLAN,

16 Plaintiffs,

17 vs.

18 JACAVI FLAVOR NOVEMBER
19 RULE, LLC, a Florida Limited Liability
Company,

20 Defendant.
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CASE NO. 2:17-cv-01988-PSG-E

The Hon. Philip S. Gutierrez

~~PROPOSED~~

DEFAULT JUDGMENT

[Fed.R.Civ.P. 55(b); L.R. 55-1]

DATE: October 2, 2017

TIME: 1:30 P.M.

CTRM: 6A, 6th Floor

Pursuant to our October 2, 2017 Order granting Plaintiffs, The Boards of Directors of the Motion Picture Industry Pension Plan, The Motion Picture Industry Individual Account Plan, and Motion Picture Industry Health Plan (herein “Plans” or “Plaintiffs”) Motion for Entry of Default Judgment against Defendant Jacavi Flavor November Rule, LLC, a Florida limited liability company (“Jacavi”), IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Plaintiffs shall have judgment against Defendant Jacavi, a Florida limited liability company, as follows:

1. Jacavi is hereby ORDERED within thirty (30) days hereof to:

A. Make available to the Plans all of the books and records concerning the classification of the employees of Defendant for production of the Motion Picture entitled “November Rule” (“the Production”) for the period of January 5, 2014 through April 5, 2014, including, but not limited to, proof of payment, invoices, and deal memos/contracts for the three Casting Directors of the Production, and such other records as may be necessary in the opinion of the Plans’ auditor, and any other records or information that the Plans require to examine, for the period of January 5, 2014 through April 5, 2014.

B. Afford to the Plans and their authorized representatives both ample time and opportunity to examine all of Jacavi’s materials as specified above, without harassment, at such time and at such place as shall be mutually convenient to the authorized representative of the Plans and Defendants.

2. In the event that Jacavi cannot produce all of the records which the Plans require to conduct their examination, Jacavi is ORDERED to participate in record reconstruction where Jacavi shall have thirty (30) days to:

A. Apply to the Federal and State agencies with which Jacavi previously filed periodic reports pertaining to employees for copies of the reports to them for all of the periods for which Jacavi cannot produce records; and

1 B. Subsequently make available to the Plans all such copies of Jacavi's
2 periodic reports to the Federal and State agencies under the conditions set
3 forth in 1(B) above.

4 C. Produce to the Plans all such applicable records received from such
5 Federal and State agencies within fourteen (14) days of receipt.

6 3. It is further ADJUDGED that the Plans shall have judgement in the
7 amount of \$11,832.50, consisting of attorneys' fees in the sum of \$10,242.50, plus
8 court costs in the sum of \$400.00, plus attorney service fees in the sum of \$440.00,
9 an additional amount of \$750.00 for three hours of attorney time for travel,
10 preparation, and attendance of the hearing, and that post-judgment interest shall
11 accrue thereon pursuant to 28 U.S.C. § 1961.

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13 **IT IS SO ORDERED.**

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17 DATED: 9/19/17

PHILIP S. GUTIERREZ
PHILIP S. GUTIERREZ
UNITED STATES DISTRICT JUDGE